

Calendar date of 6/14/10

All corrections to notes on this calendar should be filed by 6/07/10. Documents filed after this time may not be reviewed prior to hearing and could result in a continuance of your case. The update to these notes will be posted in the late afternoon of the following day.

**The Probate Examiners can be reached at
ProbateNotes@sb-court.org.**

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

PROBATE

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO DS1000063

CASE NAME: LESTER EDWARD FREDA

HEARING:
Spousal Property Petition hearing.

COUNSEL:
SONIA C. FREDA (PET)...PRO/PER
LESTER EDWARD FREDA (DEC)...

GENERAL INFORMATION

Continued from **3/8/10** at request of petitioners to file P&As.

Continued from 4/5/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. **Copies of waivers of notice filed as to Wendy Diaz and Laura Hanss. Does court wish to require original signatures. JTD**
2. Decedent died 11/27/09 and is survived by a spouse and 3 children.
3. Section 5a(2) is incomplete as to any issue of predeceased child. Need verified supplement.
4. Section 5b is incomplete as to stepchildren and their status. Need verified supplement.
5. Petitioner requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
6. Petitioner alleges that she and decedent were married in 1999; that the real property located in Highland CA was purchased by decedent in 1991 prior to marriage and held in his name alone. Petitioner claims that that though there was no written agreement, decedent and petitioner understood all property was community property. However, for all property acquired on or after 1-1-85 a transmutation of real or personal property is not valid unless made in writing by an express declaration that is made, joined in, consented to, or accepted by the spouse whose interest in the property is adversely affected. (Fam. C. §

852.). Need points and authorities to overcome Fam.C.§852. **Supp (5/10/10): petitioner alleges that she could prove sufficient facts to overcome Family Code §852, but that this is not necessary as all decedent's children have assigned their interest in the real property to petitioner. However, if petitioner cannot show that the property is community property the property must be decedent's separate property and must pass through intestate succession. Pr.C.§§13500 states that an administration is not necessary for property that passes to the surviving spouse under Pr.C.§6401 (i.e., community property). As petitioner has not overcome Fam.C. 852, the court would deem decedent's property as separate property and as such would be subject to formal probate administration to pass to the surviving spouse (as assignments are filed by decedent's children). Thus, the court may wish to deny the Spousal Property Petition without prejudice and require petitioner to file a petition for administration of decedent's estate.**

7. **Copies of assignments of interest in the real property attached as to Wendy Diaz and Laura Hanss. Does court wish to require original signatures? JTD**

RECOMMENDATION:

Need to clear notes.

(kra/abs/kra)

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO DS1000351

CASE NAME: RUPERT R. AGATON

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

CHRISTINE C AGATON	(PET)...	JENNIFER L FIELD
REMEDIOS C AGATON	(PET)...	JENNIFER L FIELD
RUPERT R AGATON	(DEC)...	

GENERAL INFORMATION

Letters of Special Administration issued on 05/18/10.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners are sole heirs and waive bond.
2. Need proof of publication.

RECOMMENDATION

RFA subject to note 2. If approved, set Accounting/Status Review for 08/22/11. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0600157

CASE NAME: EST OF MARIANN COX

HEARING:
Accounting Review

COUNSEL:
ROLAND D HARRIS (PET)...DAVID PHILIPSON
MARIANN COX (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 4/4/07, \$215,000 bond.
2. Last accounting approved 6/8/09.
3. No accounting or status report of administration filed.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0700135

CASE NAME: TRACY ANN STEVENS

HEARING:
Accounting Review

COUNSEL:
DAVID JAY STEVENS SR (PET)...RONALD W ASK
TRACY ANN STEVENS (DEC)...

GENERAL INFORMATION

Continued from **10/28/09** and **1/29/09, 3/4/10, 4/15/10 and 05/11/10**. On **4/15/10**, clerk notified PA of possible appointment. On **05/11/10**, court dismissed Public Administrator as administrator is now represented by counsel.

THIS CASE IS SET FOR HEARING ON Accounting/Status Review

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. On 10/28/09, the court orders David Jay Stevens Sr., to file a waiver of account and order for final distribution and then continued the matter to 1/29/09 (i.e., Friday). No accounting/waiver of accounting is filed.
2. A bench warrant was issued and bail set at \$10,000. Due diligence declaration filed indicating personal service could not be made. Court may wish to notice the Public Administrator re possible appointment as successor. Note: Assessor's records show the real property in the name of the estate.

RECOMMENDATION:

Need waiver of accounting. Court may wish to notice the Public Administrator re possible appointment as successor.

(gls/kra/abs/cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0700483

CASE NAME: MTR OF MIKE ROJAS

HEARING:
Probate status report filed.

COUNSEL:

RICHARD W SCOTT	(PET)...	JOHN G WURM
MIKE ROJAS	(DEC)...	
SERA CHAGOYA	(OBJ)...	ROGER VON KAESBORG
DOLORES D SELBY	(PAUL H NANKIVELL, II, ESQ)...	PAUL H NA
JERRY GONZALES	(PAUL H NANKIVELL, II, ESQ)...	PAUL H NA
ROGER VON KAESBORG	(PRO/PER)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status report of administration

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges the estate is not in a condition to be closed as the real property now listed has not sold.
2. Petitioner has not provide an estimate of time needed to close administration per Pr.C.§12201. Need verified supplement.
3. Petitioner has provided an accounting with this status report and the proposed order submitted proposes a finding that the accounting for a specified period is approved. If petitioner wishes to file an accounting, need an amended petition with the correct caption, proper notice, and payment of the correct filing fee.
4. Notice of hearing re Status Report filed. However, it does not comply with the specific language required under Pr.C.§12201. Need proper service.

RECOMMENDATION:

Need to clear notes. If approved, court to set hearing re accounting review for /09.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0700541

CASE NAME: MARGARITA ESPINOSA
COMPANION FILE= SCSS01340.

HEARING:
Hearing re Final Discharge

COUNSEL:
LAWRENCE A DEAN II (PET)...SHERRI L KASTILAHN
MARGARITA ESPINOSA (DEC)...
MELODIE Z SCOTT (TP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final Account and distribution were approved on 6/8/09. Need Order settling the 1st and final account.
2. Need receipts of distribution.
3. Need Ex-parte Petition for Final Discharge and Order submitted.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0700611

CASE NAME: FRANCES M FECTEAU

HEARING:
Accounting Review

	COUNSEL:
SUSAN P HAAG	(PET)...EARLE & REIMER
FRANCES M FECTEAU	(DEC)...
BERNARD M BIDART	(TP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters issued 8/13/07, no bond.
2. First account approved on 11/04/09. Need order for first account submitted.
3. Need second or final accounting.

RECOMMENDATION

Need to clear notes. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

(cbr/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0700639

CASE NAME: Estate of Consuelo G Moreno

HEARING:
Hearing re Final Discharge

COUNSEL:
DOLORES E OTTO-MORENO (PET)...BRYAN C. HARTNELL
CONSUELO G MORENO (DEC)...
CALVARY PORTFOLIO SERVICES (TP)...WINN LAW GROUP

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final Account and distribution were approved on 6/8/09.
2. Need receipts of distribution.
3. Need Ex-parte Petition for Final Discharge and Order submitted.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0701187

CASE NAME: OCTAVIO F MADRIGAL

HEARING:
Accounting Review

COUNSEL:	
LESLIE V FIELDS	(PET)...PRO/PER
OCTAVIO F MADRIGAL	(DEC)...
ROSENDO LEOS	(PET)...
E JOAN NELMS	(SPA)...PRO/PER

GENERAL INFORMATION:

Continued from 1/13/09 as appeal is still ongoing.

Continued from 1/11/10 for counsel to file an amended complaint. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This matter was set when Leslie Fields appointed on 3/24/08. Minute Order of 8/28/08 indicates Ms. Fields resigned. Question if assets were marshaled and should be inventoried and accounted for.
2. No successor general administrator has been appointed.
3. Joan Nelms appointed Special Administrator per Minute Order of 6/24/08 with powers of handling the appeal process only. Appellate Court granted motion to substitute E. Joan Nelms as personal representative of the estate for appeal. On 3/10/09 this court granted Ex-parte Orders appointing/expanding Ms. Nelms' powers to include marshaling assets. No Probate Orders or Letters have been issued. Court may wish to inquire if assets have been marshaled and require an accounting by the Special Administrator.

RECOMMENDATION:

Court's discretion.

(abs/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0800638

CASE NAME: THE ELIZABETH BRANDLER SPECIAL NEEDS TRUST

HEARING:
Accounting Review

COUNSEL:
BEN RODRIGUEZ (PET)...HORSPOOL & PARKER
ELIZABETH BRANDLER SPECIAL NEE(TRU)...

GENERAL INFORMATION:

Continued from 3/8/10 at request of counsel.

Continued from 5/10/10 as a 170.6 was filed against Judge Ludvigsen.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. First account current of SNT approved 6/22/09.
2. No accounting filed.

RECOMMENDATION:

Inquire status.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0800849

CASE NAME: MTR OF JACQUELINE T BARCI

SEE ALSO 12

HEARING:

Hearing Re: I & A and Issuance of Letters

COUNSEL:

KEVIN E MERRITT (PET)...PRO/PER
JACQUELINE T BARCI (DEC)...

GENERAL INFORMATION:

Continued from **8/4/09, 10/19/09** and **3/1/10** at request of petitioner.

Continued from **4/5/10** as OSC dismissed.

Continued from 5/10/10 at request of petitioner.

THIS CASE IS SET FOR HEARING ON Filing of Proper I & A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED

1. Letters Testamentary issued on 12/22/08, with full IAEA authority. No bond required.
2. Section 7a of petition indicates decedent had no predeceased spouse. However, the will indicates that decedent was widowed—that her husband predeceased her. Does court wish to require verified supplement? **Supp: Petitioner states he does not have, and cannot obtain, any information re identity of predeceased spouse.**
3. There appears to be an error on the order for probate and the letters. Court has given full Independent Administration of Estates Act power, and then indicated that the administrator may not take possession of any property. Does court wish to correct the order?
4. I & A filed on 1/30/09 indicates no probate referee required. This is incorrect. Attachment 1 includes real property which should be in Attachment 2 and appraised by probate referee. Need appraisal by probate referee or request for waiver. Note that it appears there is a short sale of the real property pending. **Supp: petitioner has filed a Statement and Request for Waiver of Probate**

Referee stating that all assets have been distributed, the short sale has been completed, and there are no assets to appraise. Issues:

- a. The sale of the property and distribution of assets does not eliminate the need to appraise the estate as of the date of death.**
 - b. A request to waive probate referee must be served upon the probate referee with an opportunity to respond.**
5. Need copies of bank and/or investment account statements verifying the value of cash assets at the date of death. **Supp: Bank statements provided but they do not cover date of death. Need correction.**

RECOMMENDATION:

Need to clear notes. When an inventory and appraisal is not filed as ordered, the court may set a hearing in accord with Pr.C. §§ 8804 and/or 8505. No bond company to notice.

(fhl/cbr/smj/cbr/kra/abs/kra)

CIVPRO San Bernardino District - Probate
 PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0800849

CASE NAME: MTR OF JACQUELINE T BARCI

SEE ALSO 11

HEARING:

PETITION FOR FINAL DISTRIBUTION ON WAIVER OF Account and Report
of KEVIN E MERRITT and Petition for allowance of fees filed.

COUNSEL:

KEVIN E MERRITT (PET)...PRO/PER
JACQUELINE T BARCI (DEC)...

GENERAL INFORMATION:

Continued from 3/1/10, 4/5/10 and 5/10/10 at request of petitioner.

THIS CASE SET FOR HEARING ON Petition for Waiver of Account, Final Distribution and Allowance of Fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. All beneficiaries waive accounting. However, need notice of hearing and proof of service.
2. Petitioner is requesting statutory compensation of \$3,565.00. Calculated; however, the Inventory and Appraisal matter has not been cleared to determine if statutory fees are correct. Need to clear matter 6 prior to approving waiver of account.
3. Petitioner indicates a creditor's claim for Arrowhead Regional Medical Center was filed totaling \$1,024.00. However, petitioner does indicate what action was taken or rejection/acceptance is not in file. Need same.
4. Need statement regarding notice to Franchise Tax Board or proof of service of the same Pr. C. § 9202(c)(1).
5. Has all cash been kept in interest bearing accounts (Pr.C.§1064(a)(5))? File verified supplement.
6. Need statement of compliance with Pr.C.§9202(b) re notice to the California Victim Compensation Board.

RECOMMENDATION

Need to clear notes. If approved, court to set hearing on filing receipts and final discharge for **6/20/11**.

(cbr/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: PRO PS0900561

CASE NAME: MTR OF MIRIAM HILMA NICHELSON

HEARING:

FINAL DISTRIBUTION ON WAIVER OF Account and Report of JAMES F CANTER
and Petition for allowance of fees filed.

COUNSEL:

JAMES F CANTER (PET)...PHYLLIS M GALLAGHER
MIRIAM HILMA NICHELSON (DEC)...

GENERAL INFORMATION:

Continued from 5/10/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Fees and
Final Distribution

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. All heirs waive accounting.
2. Assignment of rights to F. Patrick Nicholson and Timothy A. Nicholson filed.
3. Attorney requests statutory fees of \$6,730.52. Petitioner waives compensation.

RECOMMENDATION:

RFA. If approved, court to set hearing re filing receipts and final discharge for **6/20/11**.
(kra/abs/kra)

CIVPRO San Bernardino Superior Court
 San Bernardino District
 PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: RPR RS01521

CASE NAME: JENNIE L MASI

HEARING:

Hearing Re: JACK MASI'S DEMURRER TO CONSTANCE DEROSA'S ETC

COUNSEL:

JACK M MASI	(PET)...	MANNERINO & BRIGUGLIO
JENNIE L MASI	(DEC)...	
CONSTANCE DEROSA	(PET)...	BROWN, WHITE & NEWHOUSE LLP
SEBASTIAN MASI	(DEC)...	
GNS DEVELOPMENT CORPORATION	(RUTTER HOBBS & DAVIDOFF INCORP)..	
JD DEROSA	(NUNZIATO BUCKLY WEBER)...NUNZIATO
VINCENT DEROSA	(NUNZIATO BUCKLY WEBER)...NUNZIATO

No calendar notes will be prepared. Judge to decide.

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 9:00 DEPT: S33P

CASE#: SPR SS06683

CASE NAME: EST OF HELEN L ISGRIG

HEARING:
Hearing re Final Discharge

COUNSEL:
STEVEN W MANN (PET)...GUAY P WILSON
HELEN L ISGRIG (DEC)...

GENERAL INFORMATION:

Continued from **3/29/10** at request of counsel.

Continued from 5/3/10 No appearance. Court orders Guay Wilson and Steven Mann to be present at the next hearing. Clerk mailed notice.

THIS CASE IS SET FOR HEARING ON receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final Account and distribution were approved on 4/21/09.
2. Need receipts of distribution.
3. Need Ex-parte Petition/Order for Final Discharge submitted.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

PUBLIC GUARDIAN

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: CON PS0700161

CASE NAME: MTR OF MILDRED OPAL JENSEN

HEARING:

Petition for INSTRUCTIONS AUTHORIZING AND DIRECTING PUBLIC
GUARDIAN TO CEASE EFFORTS TO SELL HOME ETC

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MILDRED OPAL JENSEN (CEP)...MARK J. A. FLORY

GENERAL INFORMATION:

Continued from 5/3/10 for further research and supplement to be filed re Court's concerns.

THIS CASE IS SET FOR HEARING ON Petition for authority to cease efforts to sell and to abandon conservatee's interest in mobile home

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Conservatee has not resided in her personal residence since 2007 and the Court authorized the sale of conservatee's personal residence, a 1968 ROYHM doublewide mobile home, on 6/2/08.
2. Petitioner alleges that the mobile home was placed on the market 6/9/08 and has not received any offers. The property was reappraised on 12/22/08 showing a value of \$15,000.
3. Petitioner alleges that the space rent is \$350-\$368/monthly and including maintenance and insurance has cost the conservatorship estate a total of \$12,692.33 since 10/18/07.
4. Petitioner alleges that conservatee's savings account was used to make the monthly payments, but is now depleted. Conservatee's only income is from Social Security, which is used for conservatee's care.
5. Petitioner alleges that because there have been no offers and that the cost to keep the residence exceeds its value, conservatee's estate can no longer keep the mobile home. Thus, petitioner requests to abandon conservatee's interest in the mobile home. Pr.C.§2465 provides that a conservator may abandon or

dispose of valueless property. As the personal property has value, question who or what organization will receive the benefit of the property. Also, question if conservatee will be responsible for fees relating to the removal and disposal by the mobile home park or the Department of Housing? Need verified supplement.

Supp (4/27/10): PG states it has requested any surplus funds back from mobile home estate once the property is sold.

RECOMMENDATION:

Court's discretion.

(kra/abs/kra)

FUTURE HEARINGS:

7/11/11 Accounting Review

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: CON PS0800020

CASE NAME: WILLIAM JENSEN

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
WILLIAM JENSEN (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION:

Continued from 3/9/09, 6/29/09, 9/14/09, 12/14/09 and 3/15/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 On 12-05-08, the LPS conservatorship was terminated. Need 1st and **final** accounting.
- 2 No accounting filed.

RECOMMENDATION:

Inquire status.
(vet/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: CON PS0800303

CASE NAME: GUY EHERTON

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
GUY EHERTON	(CEP)...

GENERAL INFORMATION:

Continued from 3/15/10 at request of counsel. Melvin Friedland is relieved as counsel of record for the conservatee.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. PG appointed on 1/5/09.
2. Notice of death of conservatee indicates conservatee died 5/1/09. Need final accounting.
3. No accounting filed.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: CON PS0900027

CASE NAME: MAXINE TILLER

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
MAXINE TILLER	(CEP)...
ROZELLA IRVIN	(CP)...JANET M HERRING

GENERAL INFORMATION:

Continued from 12/14/09 and 3/15/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review by PG as to the LPS conservatorship

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 5/22/09 Court granted petition for appointment of general conservator of the person only filed by Rozella Irvin and ordered the LPS conservatorship terminated
2. No accounting filed.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: CON PS0900046

CASE NAME: MANUEL VENTURA

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
MANUEL VENTURA	(CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. PG was appointed conservator, person and estate, on 4/20/09.
2. No accounting or waiver of account filed.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: CON PS0900124

CASE NAME: PATRICIA A. DAVIS

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
PATRICIA A DAVIS	(CEP)...HARTNELL, LISTER & MOORE

GENERAL INFORMATION
Letters expire

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 2/5/10 Court ordered the conservatorship terminated and a final accounting filed.
2. No accounting or waiver of account filed.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SC SS01095

CASE NAME: IN THE MATTER OF PEDRO CALIXTO CLAVELO OLIVE

HEARING:
Accounting Review

COUNSEL:
PEDRO CALIXT OLIVE (CEP)...
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
BERTHA CLAVELO OLIVE (CPE)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 5/14/09 Court approved a Waiver of the 10th account; 11th accounting now due.
2. Proof of service of waiver of account filed. However, no accounting or waiver of accounting filed.
3. No accounting or waiver of account filed.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SC SS03166

CASE NAME: MTR OF DOROTHY JEAN HUNT

HEARING:
Petition for INSTRUCTIONS AUTHORIZING ABANDONMENT OF TRUST
PERSONAL PROPERTY

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DOROTHY JEAN HUNT (CEP)...SHERRI L KASTILAHN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for authority to abandon Trust property

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. PG was appointed conservator on 10/10/06 and successor trustee of conservatee's Trust on 10/9/07. Petitioner alleges that the Trust owns personal property consisting of furniture and furnishings re-appraised at \$450 as of 3/5/09, which is currently stored at the PG warehouse. Petitioner alleges that the cost to consummate a sale of the articles exceeds its value. Thus, petitioner requests to abandon conservatee's interest in the personal property.

RECOMMENDATION:
Court's discretion.
(kra)

FUTURE HEARINGS:
8/30/10 Accounting Review
8/30/10 Accounting Review

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SC SS03199

CASE NAME: MTR RE HELEN TAYLOR

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
HELEN TAYLOR	(CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 6/2/08 Court approved the 1st account; 2nd accounting now due.
2. No accounting or waiver of account filed.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC PS03207

CASE NAME: MTR OF JIMMY FRAUSTO

HEARING:
Hearing re Final Discharge

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
JIMMY FRAUSTO	(CEP)...HARTNELL LISTER & MOORE

VACATED – Final discharge filed 10/19/09.

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS00403

CASE NAME: IN THE MATTER OF RICK SHIRES

VACATED- WAIVER OF ACCOUNTING APPROVED.

HEARING:
Accounting Review

RICK SHIRES	COUNSEL:
PUBLIC GUARDIAN	(CPE)...HARTNELL HORSPOOL & FOX
	(CPE)...COUNTY COUNSEL

FUTURE HEARINGS:
6/20/11 Accounting Review

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS00637

CASE NAME: IN THE MATTER OF ILETA BRIDGER

HEARING:
Accounting Review

	COUNSEL:
ILETA BRIDGER	(CEP)...HARTNELL HORSPOOL & FOX
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL

GENERAL INFORMATION
Letters expire 7/24/10.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 4/24/09 Court approved a Waiver of the 6th account; 7th accounting now due.
2. No accounting or waiver of account filed.

RECOMMENDATION:
Inquire status.
(kra)

FUTURE HEARINGS:
7/23/10 Hearing re: Petition for Reestablishment of Conservatorship. WB

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS01403

CASE NAME: IN THE MTR OF CAROL WELDON

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
CAROL WELDON (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION:
Continued from 3/15/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 2/26/09 Court approved the 4th Waiver of account; 5th accounting or waiver of account now due. As letters expired 9/17/09, it would appear a final accounting should be filed.
2. No accounting or waiver of account filed.
3. Decree terminating conservatorship filed 4/23/10.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS01700

CASE NAME: MTR OF DIANE GESKE

HEARING:

Hearing Re: Status of 6th account supplement/amendment

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DIANE GESKE (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

Letters expire 11/12/10.

THIS CASE IS SET FOR HEARING ON Status of Supplement on waiver of 6th account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 3/3/09 Court approved the 6th Waiver of account covering the period 4/27/07-1/26/09. However, a corrected I&A Supplemental #6 was filed indicating that conservatee had considerably more than the 3 silver coins reported in the last accounting and every prior accounting. **On 3/15/10, Counsel was ordered to file a supplement/amendment to the 6th account to include the coins.**
2. Order on a Waiver of the 7th account was signed 2/22/10.

RECOMMENDATION:

Inquire status.

(kra)

Future hearing dates:

05/30/11 Accounting Review

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS02592

CASE NAME: MTR OF LEWIS HARDIN

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
LEWIS HARDIN (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION:

New LPS conservatorship established 7/10/09. letters expire 7/10/10

Continued from 6/8/09, 9/14/09, 12/14/09 and 3/15/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 4/24/09 petition re re-establishment of conservatorship was withdrawn and the court set this hearing. Need 4th **final** accounting.
2. No accounting filed.

RECOMMENDATION:

Inquire status.
(kra)

FUTURE HEARINGS:

7/09/10 Hearing re: Petition for Reestablishment of Conservatorship. WB

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS02757

CASE NAME: MTR RE TRAVIS BROOKS

HEARING:

THIRD & FINAL Account and Report of PUBLIC GUARDIAN and Petition for fees

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
TRAVIS BROOKS	(CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 3rd & Final account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 1/1/08 – 1/15/09.
2. Conservatorship established under W&I 5350 and terminated on 11/10/08.
3. Zero assets on hand.
4. Public Guardian and County Counsel waive compensation.

RECOMMENDATION:

RFA. If approved court to set hearing re final discharge for **6/20/11**.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS02844

CASE NAME: MTR RE ROBERT DONNELLY

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
ROBERT DONNELLY (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION
Letters expire 4/2/11.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 3/24/09 Court approved a Waiver of the 3rd account; 4th accounting now due.
2. No accounting or waiver of account filed.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS02868

CASE NAME: MTR RE JAMES DEVITA

VACATED- WAIVER OF ACCOUNTING APPROVED.

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
JAMES DEVITA	(CEP)...HARTNELL LISTER & MOORE

FUTURE HEARINGS:
6/18/10 Hearing re: Petition for Reestablishment of Conservatorship. WB
6/20/11 Accounting Review

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS02883

CASE NAME: MTR RE VERDALE GOINS

VACATED- FINAL DISCHARGE FILED.

HEARING:
Hearing re Final Discharge

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
VERDALE GOINS	(CEP)...HARTNELL LISTER & MOORE

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS02997

CASE NAME: MTR RE SABRINA RODRIGUEZ

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
SABRINA RODRIGUEZ (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION
Letters expire

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 6/2/08 Court approved the 2nd account. A decree terminating conservatorship was filed 12/29/08. The 3rd & final accounting now due.
2. No accounting filed.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS03008

CASE NAME: MTR RE MARY CRAIGEN

HEARING:
Accounting Review

	COUNSEL:
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
MARY CRAIGEN	(CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION:

Continued from 6/8/09, 9/14/09, 12/14/10 and 3/15/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 4/24/09 petition re re-establishment of conservatorship was withdrawn and the court set this hearing.
2. Need 3rd **final** accounting.
3. No accounting filed.

RECOMMENDATION:

Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS03111

CASE NAME: MTR RE MARTHA GAINER

HEARING:

THIRD AND FINAL Account and Report of PUBLIC GUARDIAN and Petition for fees

COUNSEL:

PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
MARTHA GAINER	(CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 3rd & Final account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 12/18/08 – 7/14/09.
2. Conservatorship established under W&I 5350 and terminated on 7/10/09.
3. Assets on hand \$627.09 consisting of cash.
4. Public Guardian and County Counsel request fees of \$157.00 each.
5. Petitioner alleges that \$313.09 was distributed to the conservatee on 11/24/09 and requests the Court's confirmation. No receipt filed.
6. Conservatee was receiving monthly SSI payments in the amount of \$1,046.00 and in March of 2009 they dropped considerably to \$50.00. Need verified supplement explaining the fluctuation in receipts for SSI payments.

RECOMMENDATION:

Need clarification of note 6. If approved court to set hearing re filing receipts and final discharge for **6/20/11**.

(kra)

CIVPRO San Bernardino Superior Court
San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS03200

CASE NAME: MTR RE LINDA CARR

HEARING:

FIRST AND FINAL Account and Report of PUBLIC GUARDAIN and Petition for fees

COUNSEL:
PUBLIC GUARDAIN (CPE)...COUNTY COUNSEL
LINDA CARR (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & Final account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 10/13/06 – 2/18/09.
2. Conservatee died 9/12/08.
3. Zero assets on hand.
4. Public Guardian and County Counsel waive compensation.

RECOMMENDATION:

RFA. If approved court to set hearing re final discharge for **6/20/11**.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS6899

CASE NAME: IN THE MATTER OF BEVERLY ALTHOUSE

HEARING:
NINETEENTH AND FINAL Account and Report of PUBLIC GUARDIAN and
Petition for fees

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
BEVERLY ALTHOUSE (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 19th & Final account and petition for fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 6/12/07 – 3/10/10.
2. Conservatee died 9/13/07.
3. Zero assets on hand.
4. Public Guardian and County Counsel waive compensation

RECOMMENDATION:

RFA. If approved court to set hearing re final discharge for **6/20/11**.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:00 DEPT: S33P

CASE#: SLC SS9102

CASE NAME: IN THE MTR OF JANET LARSON

HEARING:
Accounting Review

JANET LARSON	COUNSEL:
PUBLIC GUARDIAN	(CEP)...HARTNELL LISTER & MOORE (CPE)...COUNTY COUNSEL

GENERAL INFORMATION
Letters expire 8/21/10.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. On 6/2/08 Court approved a Waiver of the 9th account; 10th accounting now due.
2. No accounting or waiver of account filed.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

CONSERVATORSHIP

DATE: 06/14/10 TIME: 10:30 DEPT: S33P

CASE#: CON PS0800031

CASE NAME: JOSE JUAN PADRON RODRIGUEZ

HEARING:

Petition for APPROVAL & PAYMENT OF INTERIM ATTORNEY'S FEES AND
COSTS TO COURT APPOINTED COUNSEL

COUNSEL:

EVELYN JENNIFER PADRON (PCR)...PATRICK L. HANRAHAN
JOSE JUAN PADRON RODRIGUEZ (PCE)...MITCHELL I ROTH
LOURDES BARRAGAN (RES)...LENITA A SKORETZ

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for court-appointed attorney fees and costs

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner, Mitchell Roth, was appointed for the conservatee on 5/20/08.
2. Petitioner requests fees of \$28,740.00 for services to the conservatee in the conservatorship and related personal injury, workers compensation and family law actions. Billing is based on a rate of \$300/hour for 95.80 hours
3. Petitioner requests reimbursement of \$12.75 for costs. Itemized.
4. No objections filed at the time of review of this file.

RECOMMENDATION;

Court's discretion.

(kra)

FUTURE HEARINGS:

7/13/10 Hearing Re: Disputed costs

7/13/10 Hearing Re: Matter to be taken under submission

4/26/11 Accounting Review

5/03/11 Accounting Review

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:30 DEPT: S33P

CASE#: CON PS0900043

CASE NAME: MEI-HWEI LU

SEE ALSO 43

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of TZE PIN LU

COUNSEL:

TZE PIN LU
MEI-HWEI LU

(CPE)...PRO/PER
(CEP)...JACK B OSBORN

GENERAL INFORMATION:

At 5/11/09 hearing re request to waive bond, court directed conservator to file an interim accounting of any funds withdrawn from the estate and any payments made on conservatee's behalf by 10/16/09, to be reviewed at 11/16/09 hearing.

Continued from 11/16/09 Court appoints Jack Osborn and requests a declaration/report re assets.

Continued from 01/04/10 and 3/1/10 at request of counsel.

THIS CASE IS SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Letters issued 5/19/09, no bond.
2. Need interim accounting of funds withdrawn from estate and payments made on conservatee's behalf per 5/11/09 order.
3. Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C. §1830(c).
4. Need Statement of Care Plan in accord with Pr.C. §2352.5.
5. Need final Inventory & Appraisal per Pr.C. §2610.
6. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C. §2610.
7. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C. §2313.

8. Report of counsel filed 01/04/10.
9. **Court Investigator annual report filed 5/4/10.**

RECOMMENDATION:

When documents are not filed as ordered, court may set a hearing in accord with

Pr.C. §2655

(fhl/kra/cbr/kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:30 DEPT: S33P

CASE#: CON PS0900043

CASE NAME: MEI-HWEI LU

SEE ALSO 42

HEARING:
Accounting Review

TZE PIN LU	COUNSEL:
MEI-HWEI LU	(CPE)...PRO/PER
	(CEP)...JACK B OSBORN

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Conservator, Tze Pin Lu, was appointed on 5/15/09, no bond (Pr.C.§2628).
2. No accounting filed.

RECOMMENDATION:

Inquire status.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:30 DEPT: S33P

CASE#: CON PS0900145

CASE NAME: MTR OF GENEVIEVE Q SANTOS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of RAYMOND S ROBINSON

COUNSEL:

RAYMOND S ROBINSON (PET)...CURTIS R AIJALA
ERLINDA ROBINSON (CP)...CURTIS R AIJALA
GENEVIEVE Q SANTOS (CTP)...

GENERAL INFORMATION:

Mother and step-father were appointed conservators, Person Only 11/9/09.

THIS CASE IS SET FOR HEARING ON compliance review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Proof of service of Conservatee's rights filed. However, as section 5 of the proof of service is incomplete, need proof of service of the Order for Conservatorship per Pr.C.§1830(c).
2. Need Statement of Care Plan in accord with Pr.C.§2352.5.
3. Court Investigator 6 month report filed 5/4/10.

RECOMMENDATION

Inquire status.

(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 10:30 DEPT: S33P

CASE#: SC SS01675

CASE NAME: MTR OF LARRY R. VANCE

HEARING:

DISPENSE WITH Account and Report of MICHAEL ARNOLD and Petition for fees

	COUNSEL:
MICHAEL ARNOLD	(CE)...MICHAEL S. ARNOLD
LARRY R. VANCE	(CTE)...

GENERAL INFORMATION:

Continued from 5/10/10 to clear notes.

THIS CASE IS SET FOR HEARING ON Waiver of Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner alleges that the conservatorship estate qualifies for a waiver of account under Pr.C.§2628.
2. Petition for a waiver of account must contain a list of assets on hand per CRC §7.550. Need verified supplement.
3. Need notice of hearing and proof of service.
4. Proposed order returned for correction 4/14/10. need corrected order submitted.

RECOMMENDATION:

Need to clear notes 2-3. If approved, Court may wish to set the next hearing re Accounting Review for **5/16/11** or a biennial Accounting Review for **5/14/12** per Pr.C.§2620(a). Any accounting to be filed 30 days in advance.
(kra).

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH **MISC.**

DATE: 06/14/10 TIME: 1:00 DEPT: S33P

CASE#: SLC SS01461

CASE NAME: MTR OF CATHERINE CASEY

HEARING:
Hearing re Final Discharge

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
CATHERINE CASEY (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Final Account and distribution were approved on 6/8/09.
2. Receipt filed.
3. Need Ex-parte Petition for Final Discharge and Order submitted.

RECOMMENDATION:
Inquire status.
(kra)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE J MICHAEL WELCH

DATE: 06/14/10 TIME: 1:30 DEPT: S33P

CASE#: PRO PS0800955

CASE NAME: NONYEREM A. OHIAERI

COMPANION FILE= GARRS800167

HEARING:

Court Trial set for PETITION FOR PROBATE of IKECHUKWU OHIAERI

COUNSEL:

IKECHUKWU OHIAERI	(PET)...	NOREEN FONTAINE
NONYEREM A OHIAERI	(DEC)...	
POLLIE OKORONKWO	(OBJ)...	MITCHELL I ROTH
ANTHONIA OKHEANI	(MITCHELL I ROTH)...MITCHELL

No calendar notes as this is on for Court Trial.

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN **PROBATE**

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO DS1000046

CASE NAME: EUNICE MUNDY INTERVIVOS TRUST

HEARING:

Petition for TO DETERMINE VALIDITY OF PURPORTED TRUST, TO
DETERMINE TITLE & ORDER AUTHORIZING TRANSFER

COUNSEL:

SANDRA S. YOUNG (PET)...MARY P. KULVINSKAS
THE EUNICE MUNDY INTERVIVOS TR(TRU)...
ELENA HENDRICKSON (TEE)...LAW OFFICES OF SALLY ANNE COX

GENERAL INFORMATION:

Continued from 05/06/10. Counsel to file response.

THIS CASE IS SET FOR HEARING ON Petition to Determine Validity of Purported Trust,
to Determine Title & Order Authorizing Transfer

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Petitioner alleges she is an intestate heir of decedent and brings petition as follows:
 - a. To determine validity of trust under Pr.C. §§17200:

Petitioner alleges that decedent was settler and trustee of a trust executed 7/19/04. The trust provides for distribution of the entire trust estate to Elena P. Hendricksen (Hendricksen) except for one Hamilton Platinum Diamond Watch distributed to Bobbie Jeanne Jenkins (Jenkins). Hendricksen is the current trustee of the trust. The trust estate consisted of real property, the platinum watch distributed to Jenkins, and any vehicle currently in possession of decedent at date of death. (Copy of trust attached as Exhibit A.)

The real property of decedent was purchased by decedent and her predeceased spouse in 1974. On 7/19/04 decedent executed a deed transferring the real property into the trust and on 4/21/09 decedent as trustor executed a deed and transferred the real property from the trust to Hendricksen. (Copies of deeds attached as Exhibits C, D, E.)

Petitioner requests that Court invalidate the trust per Pr.C. §21350(a)(6) which provides that no provision shall be valid to make any donative transfer to a care custodian of a dependent adult who is the transferor. Petitioner alleges that Hendricksen served as a paid caregiver to the decedent. And claims that Hendricksen was a care custodian within the meaning of WIC §15610.17.

- b. To determine title and for order authorizing and directing transfer of real property to estate (Pr.C. §850(a)(2)(D), and for double damages (Pr.C. §859:

Petitioner requests that Court determine that decedent was the owner of and held title to the real property at date of death per Pr.C. §850(a)(2)(D) (where the decedent died having a claim to real or personal property, title to or possession of which is held by another).

Petitioner alleges that Hendricksen wrongfully took real property belonging to the estate in bad faith and petitioner requests that Court determine that Hendricksen is liable for twice the value of the real property.

- c. For enhanced remedies under EADACPA for attorney's fees and costs (WIC §15657.5(a):

Petitioner alleges that Hendricksen's conduct constitutes financial abuse under WIC §15657.5 as defined in WIC §15610.30 and that under WIC §15657.5(a), Hendricksen is liable to petitioner for reasonable attorney fees and costs.

2. Petitioner requests Court orders as follows:

- a. Invalidating decedent's trust;
- b. Invalidating quitclaim deed transferring property to Hendricksen.
- c. Determining the decedent was the owner of and held title to the real property on her date of death;
- d. Order Hendricksen to deliver the real property to decedent's estate;
- e. Order damages to be paid personally by Hendricksen equal to twice the value of the real property belonging to the estate of decedent;
- f. Order payment of petitioner's attorney fees and costs to be paid personally from Hendricksen.
- g. Other and further relief as the Court deems just and proper.
Judge to decide.

3. Objections filed by Elena Hendrickson, Trustee and beneficiary.

RECOMMENDATION:

Set for contested hearing.

(fhl/gls/cbr)

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO DS1000086

CASE NAME: Dale A Worrell

HEARING:
Petition for ORDER FOR INSTRUCTIONS TO ABANDON REAL PROPERTY

COUNSEL:
JOSEPH WORRELL (PET)...DONALD N FELD
DALE A WORRELL (DEC)...
SCOTT SHOWLER (TP)...DILL AND SHOWLER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for instructions to abandon real property
(Pr.C.§9811)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Petitioner was appointed administrator, \$100,000 bond.
2. Petitioner states the estate contains real property located in Rialto, CA, which was appraised at \$110,000 by the probate referee as of 1/23/10. Petitioner alleges that he has received notice from Nationstar Mortgage indicating the amount owed on the property is \$203,191.02 and is in arrears by \$4,415.64.
3. Petitioner believes it is in the best interest of the estate and requests to transfer title at the option of Nationstar by foreclosure or by deed in lieu of foreclosure.

RECOMMENDATION:
Court's discretion.
(kra)

FUTURE HEARINGS:
5/30/11 Accounting Review

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO DS1000248

CASE NAME: GLADYS O. MIZE TRUST

HEARING:

Petition for EXISTENCE & VALIDITY OF TRUST & APPT. OF SUCCESSOR
TRUSTEE

COUNSEL:

ROSANNA WALLACE (PET)...FULLERTON LEMANN SCHAEFFER & D
GLADYS O. MIZE TRUST DATE 4/26(STRU)...

GENERAL INFORMATION:

Continued from 05/13/10 for review of supplement.

THIS CASE IS SET FOR HEARING ON Petition for Order Determining Existence and
Validity of Trust, Confirming Successor Trustee and Trust Assets.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Petitioner is successor trustee of the Gladys O. Mize Trust. The trustor died on 2/11/10. The trustor executed the Trust Agreement on 4/26/07 and shows assets on Exhibit "A" consisting of unnumbered bank accounts to be funded into the Trust. Petitioner alleges that prior to her death, trustor consolidated all of her banking with Wells Fargo. Petitioner states that title to two of the accounts did not vest in the name of the Trust. Pursuant to Pr.C §17200(a), (b)(3), (b)(10) and Estate of Heggstad (1993) 16 Cal. App. 4th 943, petitioner seeks orders as follows:
 - a. The Gladys O. Mize Revocable Living Trust dated 4/26/07 is valid;
 - b. Petitioner is the successor trustee of the trust and is vested with all the powers as trustee under the trust instrument;
 - c. That Wells Fargo Performance Savings Account no. 9218667773 and Certificate of Deposit #2 account no. 9916566525 are assets of the trust.
2. Per Pr.C. §15202, a trust is created only if there is trust property. Question whether trust was ever funded by trustor? If the trust was not funded, question the validity of the Trust? File verified supplement with proof that trust was

funded. **Supp: Trustor funded the trust with original bank account at Southwest Community Bank.**

RECOMMENDATION:

Court's discretion.

(fhl/cbr)

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO DS1000268

CASE NAME: IN HAE JUNG

HEARING:
Spousal Property Petition hearing.

	COUNSEL:
WOO SUP JUNG	(PET)...PRO/PER
IN HAE JUNG	(DEC)...

GENERAL INFORMATION

Continued from 05/10/10. Need supplement to notes.

THIS CASE SET FOR HEARING ON Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner, surviving spouse, is seeking determination that real property is to pass to petitioner. It appears that petitioner is seeking 1/3 interest in the real property. However, it is not clear exactly what percentage or interest in the real property is being sought. Need verified supplement further explaining along with the real property's physical address.
2. Petitioner does not set forth any supporting facts and/or documents (attachment 7 is missing) to the decedent's real property passing to petitioner. Need verified supplement.
3. Need notice of hearing and proof of service.

RECOMMENDATION

Need to clear notes.

cbr

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO DS1000342

CASE NAME: DESTINY DeSELLUM

HEARING:

Petition for TO SET ASIDE SMALL ESTATE TO MONOR & FOR DEPOSIT OF
FNDS INTO BLOCKED ACCOUNT & ATTY FEES

COUNSEL:

PHILLIP J. STADLER (PET)...FULLERTON LEMANN SCHAEFFER & D
DESTINY DESELLEM (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Set Aside Small Estate to Minor and for
Deposit of Funds into Blocked Account and for Payment of Attorney's Fees and Costs
from Blocked Account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the father of minor Trinity Eva Candace Stadler. Trinity was born 10/23/99. The minor's mother, Destiny DeSellem, passed away in 2007. Destiny died intestate. Destiny was a devisee under the Will of Ruth Louis DeSellem (PROPS 0600237).
2. Petitioner is requesting to have the distributive share of Ruth Louis DeSellem's estate totaling \$8,874.31 which Destiny's estate is to receive per order for final distribution dated 01/12/10. Petitioner is requesting that the funds be made payable to petitioner as custodian and placed in a blocked account for the minor, Trinity. Petitioner alleges that the Public Administrator closed Destiny's file without administration. However, cannot determine as such as the case number (PA 3353) is not found in the system. Question if the estate was insolvent or did Public Administrator not marshal any assets. Also, were there any outstanding creditors claims filed with Public Administrator? Need verified supplement with supporting case information.

RECOMMENDATION

Need to clear note. If approved, set hearing re proof of blocked account in 30 days.
(cbr)

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO DS1000352

CASE NAME: ISRAEL SANABRIA

HEARING:
Petition to determine succession to Real Property

	COUNSEL:
GRETEL SANABRIA	(PET)...PRO/PER
GABRIEL SANABRIA	(PET)...PRO/PER
ISRAEL SANABRIA	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners are the surviving son and daughter of decedent. Petitioners are requesting 100% interest in the decedent's real property (50% each) per the laws of intestate succession.
2. No notice required as petitioners are sole heirs.

RECOMMENDATION
RFA absent objections.

(cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0700214

CASE NAME: ** MF ** CINDA J RATLEY

HEARING:

FIRST / CURRENT Account and Report of CATRINA RATLEY and
Petition for allowance of fees filed.

COUNSEL:

CODY RATLEY (PET)...TIMOTHY G MISHLER
CINDA J RATLEY (DEC)...
CATRINA RATLEY (PET)...CORNELL L HATCHER
RALPH L RATLEY (PET)...ROBBINS & HOLDAWAY
ADVANCE INHERITANCE, LLC (TP)...JAMES L LEESTMA
BOND SERVICES OF CALIFORNIA ()...
BURDETTE M GARVIN ()...

GENERAL INFORMATION

**Continued from 03/22/10 and 05/10/10. Counsel agree on properties being sold.
Need notice given to Diane Robbins. Amended accounting filed.**

THIS CASE IS SET FOR HEARING ON First account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period described as 08/23/07 – 12/31/09.
2. Property on hand \$216,489.51.
3. Petitioner and atty waive compensation. Atty reserves right to seek fees when administration is closed.
4. Representative mentions that estate is not ready to close due to income taxes are not yet filed, outstanding property taxes are due and the June Street property needs to be with sold with the Ward Street property.
5. Petitioner took out a loan of \$500 from the estate and will deduct the \$500 from her share of distribution. Additionally, prior co-administrator Cody Ratley borrowed \$3,000. Question under what authority did petitioner and prior co-administrator have to borrow money from the estate without notice of proposed action or prior court authority? Need verified supplement.

6. Notice of hearing re sale of property filed. However, there is no report of sale filed or on calendar. Need notice of hearing and proof of service for amended accounting filed on 05/06/10.
7. **Objections filed by beneficiary Cody Ratley. No response filed at time of review.**
8. **Response filed by petitioner.**

RECOMMENDATION

Need to clear notes then court's discretion. If approved, set next accounting review for 06/20/11.

abs/cbr

Future hearing dates:

6/15/10 FIRST / CURRENT Account and Report of CATRINA RATLEY and Petition for allowance of fees filed. **DUPLICATE**

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0700882

CASE NAME: VERNA MAE SMITH

HEARING:

FIRST AND FINAL Account and Report of CLARENCE C SMITH and
Petition for allowance of fees filed.

COUNSEL:

CLARENCE C SMITH (PET)...BETTY AUTON-BECK
VERNA MAE SMITH (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for First and Final Account and Petition for Allowance of Fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is requesting statutory compensation of \$6,011.02. Ok.
2. Attorney is requesting statutory fees of \$6,011.02. Ok.
3. Petitioner is requesting a reserve of \$1,500 for costs.

RECOMMENDATION

RFA. If approved, set Accounting/Status Review for 06/20/11. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0800330

CASE NAME: EMILIO SENDOYA

Vacated – declaration attached to Inventory and Appraisal clears matter.

SEE ALSO 10

HEARING:
Hearing re: Inventory and appraisal

	COUNSEL:
SOFIA SENDOYA	(PET)...STUART O'MELVENY
EMILIO SENDOYA	(DEC)...

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0800330

CASE NAME: EMILIO SENDOYA

SEE ALSO 9

HEARING:

FIRST Account and Report of SOFIA SENDOYA and Petition for allowance of fees filed.

COUNSEL:

SOFIA SENDOYA	(PET)...STUART O'MELVENY
EMILIO SENDOYA	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for First and Final Account.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is sole heir and is not requesting fees.
2. Attorney does not appear to be requesting fees. Calculated statutory fees are \$863.86.
3. Petitioner has entered into an agreement with the Internal Revenue Service to pay outstanding taxes of \$4,831 at \$250 per month. Question whether????
4. Petitioner alleges that she paid attorney Frank Amador \$5,000 to represent her in the decedent's CNA insurance litigation out of her personal savings. Petitioner alleges that Attorney Amador did nothing and moved to Florida without repayment of the funds. Petitioner can pursue any claims against attorney Amador as petitioner is sole heir.
5. Petitioner appears to have paid paralegals and investigators approximately \$6,257.40 to assist with this estate.
6. There is no actual accounting or summary of account. Need same. Alternatively, as petitioner is sole heir they may submit waiver of account and report.
7. It is unclear what the cash on hand is. Need verified supplement.
8. Need copy of bank statement to support cash balance on hand per local rule 20-908.

9. with Pr.C.§9202(b) re notice to the California Victim Compensation Board
10. Need statement of compliance with Pr.C.§9202 re notice to Director of Health Services per local rule 20-907(e)
11. Has all cash been kept in interest bearing accounts (Pr.C.§1064(a)(5))? File verified supplement.
12. Need statement re family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. (Pr.C. § 1064(a)(4)). Need verified supplement.
13. Nature of the property not stated (sole and separate, community, etc.). Need verified supplement.
14. Need proposed distribution. Need verified supplement.
15. Need proposed residuary distribution. Need verified supplement.
16. Need statement of compliance re creditor claims per Pr.C.§10900. File verified supplement.
17. There are two creditor's claims not addressed in the report. Need status of the following claims:
 - a. Judgment totaling \$6,050.77 case 05C00181 filed 05/07/09.
 - b. PVCH Medical Lab \$1,348 filed on 05/21/09.
18. Petition is not verified. Need verification per Pr. C. § 1021.
19. Need proposed order.

RECOMMENDATION

Need to clear notes. If approved, court to set hearing on filing receipts and final discharge for 06/20/11.

(cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0800736

CASE NAME: THOMAS P. SARGENT JR

HEARING:
Accounting Review

COUNSEL:
FITZWILLIAM S GREEN (PET)...WILLIAM J. BRUNICK
THOMAS P SARGENT JR (DEC)...
LARRY E. BURGESS (TP)...

GENERAL INFORMATION

Continued from 12/03/09, 01/11/10, 03/08/10 and 05/10/10 at request of counsel to file accounting or status report.

THIS CASE IS SET FOR HEARING ON Accounting/Status Review.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Letters Testamentary issued 9/22/08 (full authority, no bond)
2. No accounting/status report is filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(gls/cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0800844

CASE NAME: KATHLEEN E. VENTO

HEARING:

Hearing Re: OSC RE: SANCTIONS FOR FAILURE TO APPEAR/FILE ACCTG

COUNSEL:

STEVEN J. VENTO	(PET)...STEPHEN A. WORKMAN
ANDREA B. WHITE	(PET)...STEPHEN A. WORKMAN
KATHLEEN E. VENTO	(DEC)...

No file available for review

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0800944

CASE NAME: DONALD A. MOUNT

HEARING:

REPORT ON WAIVER OF Account and Report of CYNTHIA RAMIREZ and
Petition for allowance of fees filed.

COUNSEL:

CYNTHIA RAMIREZ	(PET)...	PHYLLIS M GALLAGHER
DONALD A. MOUNT	(DEC)...	

GENERAL INFORMATION

Continued from 05/10/10.

THIS CASE SET FOR HEARING ON Petition for Waiver of Account, Final Distribution and Allowance of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives compensation.
2. Attorney is requesting \$4,000 in statutory fees. Attorney has agreed to this reduction of fees. The estate consists of only real property. Petitioner is requesting that any beneficiaries that pay the attorney's fees be reimbursed to them pro rata at the time of sale with 10% compound interest. Question authority to charge interest on statutory fee? Statutory fees could be attached to the real property as a lien and paid through escrow. File verified supplement.
3. Petitioner proposes to distribute the real property in kind. Petitioner indicates that the beneficiaries have agreed to allow beneficiary Michael Mount to rent the real property until the property sells. Petitioner alleges that all the beneficiaries agree that if Michael fails to pay the agreed amount each month (\$386.74) that his share of the estate will be charged with all unpaid amounts when property is sold with 10% compound interest on the unpaid amount. Payments shall be credited pro rata to the beneficiaries who have made them. Need written agreement. **Supp: Petitioner has submitted only a simple consent to rent the property signed by the interested parties, but there is no statement re the additional details set forth above. Suggest court require executed detailed agreement. JTD.**

4. Petitioner alleges that the Bank of America creditor's claim for \$552.09 was rejected. However, there is no allowance/rejection form in the file per Pr. C. § 9250. Need proof of service of rejection.
5. Need statement regarding notice to Franchise Tax Board or proof of service of the same Pr. C. § 9202(c)(1).
6. Nature of the property not stated (sole and separate, community, etc.). Need verified supplement.
7. Need statement re family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. (Pr.C. § 1064(a)(4)). Need verified supplement.
8. Need proposed residuary distribution. Need verified supplement.

RECOMMENDATION

Need to clear notes. If approved, court to set hearing on filing receipts and final discharge for 06/20/11.

(cbr/abs/cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0900046

CASE NAME: HENRY F. DURAN

HEARING:

Petition for approval of Account and Report of JOE AYALA and
Petition for allowance of fees filed.

COUNSEL:

ELVIRA D. GOMEZ	(PET)...	JONES & BRAYTON
HENRY F. DURAN	(DEC)...	
JOE AYALA	(SPA)...	JONES & BRAYTON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Approval of Accounting for Special Administrator.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner was appointed special administrator on 11/23/09. Previous administrator died after the final accounting was granted.
2. Petitioner is requesting discharge upon approval of report. Alternatively, court could require Ex Parte Petition for Final Discharge and Order JTD
3. Receipt for distribution filed.

RECOMMENDATION

RFA. If court requires Ex Parte Petition for Final Discharge and Order, set hearing for 06/20/11.

(cbr)

Future hearing dates:

11/15/10 Hearing re Final Discharge

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0900316

CASE NAME: DOROTHY EVANS

HEARING:

PETITION FOR FIRST AND FINAL REPORT ON WAIVER OF Account and
Report of PAMELA J. ARNDT and Petition for allowance of fees
filed.

COUNSEL:

PAMELA J. ARNDT (PET)...RAY H SHATZER
DOROTHY EVANS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Waiver of Final Account, Final
Distribution and Allowance of Fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is sole heir and waives accounting.
2. Petitioner waives statutory compensation.
3. Attorney is requesting statutory fees of \$4,750.00. Calculated.

RECOMMENDATION

RFA. If approved, court to set hearing on filing receipts and final discharge for 06/20/11.

(cbr)

Future hearing dates:
8/24/10 Accounting Review

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0900514

CASE NAME: THE BASS FAMILY TRUST

SEE ALSO 17

HEARING:
Hearing Re: STATUS CONFERENCE

COUNSEL:
SHIRLEY BRADLEY (PET)...J. DAVID HORSPOOL
FAMILY BYPASS TRUST OF THE BAS(TRU)...
THE JOE BASS LIVING TRUST 2007(TRU)...
VICKY LOFY (RES)...
CORI SMITH ()...

No notes – JTD

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: PRO PS0900514

CASE NAME: THE BASS FAMILY TRUST

SEE ALSO 16

HEARING:
Petition for (FIRST AMENDED) IMPOSITION OF CONSTRUCTIVE TRUST &
DECLARATORY RELIEF

COUNSEL:

SHIRLEY BRADLEY (PET)...J. DAVID HORSPOOL
FAMILY BYPASS TRUST OF THE BAS(TRU)...
THE JOE BASS LIVING TRUST 2007(TRU)...
SHIRLEY BRADLEY (PET)...J. DAVID HORSPOOL
FAMILY BYPASS TRUST OF THE BAS(TRU)...
THE JOE BASS LIVING TRUST 2007(TRU)...
VICKY LOFY (RES)...
CORI SMITH ()...

No notes – JTD

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: SPR SS07274

CASE NAME: ESTATE OF FRANCES E BROOKS

HEARING:
Accounting Review

COUNSEL:
ROBERTA L MORRILL (PET)...HARTNELL, LISTER & MOORE
FRANCES E BROOKS (DEC)...

GENERAL INFORMATION

Continued from 04/05/10 and 05/10/10 at request of counsel. Petitioner ordered to sign the report or appear personally in court at next hearing.

THIS CASE SET FOR HEARING ON Accounting Review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters Testamentary issued 11/06/06; full authority no bond.
2. Last status report approved on 03/30/09.
3. Need accounting or status report.

RECOMMENDATION

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

(cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: VPR VS002864

CASE NAME: ESTATE OF ERNEST MAYFIELD

HEARING:
Probate status report filed.

COUNSEL:

YVETTE MAYFIELD (PET)...RANDALL & ASSOCIATES
ERNEST ANTHONY MAYFIELD (DEC)...
DERRICK MAYFIELD (PET)...RANDALL & ASSOCIATES
NINA KAYE MAYFIELD (PET)...RICHARD A LEHN
DERRICK MAYFIELD (PET)...JOHN GUY
CAROL L KUNDERT (PET)...MICHAEL R GARDNER
BOND SERVICES OF CALIFORNIA (PET)...PRO/PER
ERNEST ANTHONY MAYFIELD (DEC)...
RICHARD A CHERRY (TP)...PRO/PER
HARLEY-DAVIDSON CREDIT (DEAN P SPERLING)...DEAN P SP

GENERAL INFORMATION:

Continued from 10/26/09, 12/7/09, 1/14/10 and 02/18/10 and 04/12/10 at request of counsel to file supplement to address calendar notes. Court will clear matter after receives answers to notes 2 and 3.

THIS CASE IS SET FOR HEARING ON Status Report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Letters issued 2/26/07, \$50,000 bond.
2. Petitioner states that there were additional bank accounts totaling \$31,000. Nina Mayfield (surviving spouse) withdrew \$18,000 in 2006 and Derrick Mayfield (son of decedent) withdrew \$13,000. Petitioner states that the shares of Nina Mayfield and Derrick Mayfield in the estate should exceed these amounts and she has obtained Receipts for Preliminary Distribution. Question how preliminary distribution may be made without court authority as petitioner has only limited authority. Additionally there are outstanding creditor claims. **Supp: Petitioner alleges that the heirs were ultimately**

entitled to distribution and did not make a preliminary distribution, but rather “elected to secure certain debt to the estate”. Bank statements submitted indicate the accounts were solely in decedent’s name.

Question how Derrick and Nina withdrew funds from the bank

accounts? Need verified supplement. **Supp 2: Representative does not know how the bank accounts were accessed.**

3. Petitioner neglected to disclose creditor claim of Nina Mayfield filed 6/14/07. **Supp:** Petitioner alleges they have not received a copy of any Creditor’s Claim filed by Nina Mayfield. However, the claim appears to have been personally served to petitioner, personal representative Carol Kundert, on 06/07/07. Question if creditor’s claim will be paid after the sale of the real property? Need verified supplement. **Supp 2: Representative still has not received a copy of the claim. Representative will evaluate the claim when it is received.**
4. Petitioner requests an additional year to close the estate. Real property is currently in escrow. If escrow closes, estate will be in a position to close. If escrow fails to close, the property will have to be marketed again. **Supp: Escrow has now closed and proceeds are on deposit.**

RECOMMENDATION:

Court’s discretion. If approved, court to set hearing re accounting review for **03/07/11**.

(fhl/cbr/gls/cbr/abs/cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 9:00 DEPT: S34P

CASE#: VPR VS02148

CASE NAME: ESTATE OF LUCILE FRANCES HAYES

HEARING:

FIRST AND FINAL Account and Report of MARVIN FREDERICK HAYES JR
and Petition for allowance of fees filed.

COUNSEL:

MARVIN FREDERICK HAYES JR (PET)...MURTAUGH, MILLER, MEYER & NELS
LUCILE FRANCES HAYES (DEC)...

GENERAL INFORMATION

Continued from 05/10/10. Late supplement filed.

THIS CASE SET FOR HEARING ON Petition for Waiver of Final Account, Distribution and Allowance of Fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner was appointed personal representative on 10/22/03, no authority no bond per stipulation and order re will contest. On 05/30/06 court deemed the original appointment as Special Administrator and amended the letters; however, granted full authority with no bond. General letters were never re-issued; however, petitioner was granted full IAEA authority on 05/30/06. Request for dismissal of will contest filed on 05/02/08. It does not appear general letters are needed as publication was satisfied.
2. All Heirs waive accounting.
3. Petitioner waives statutory compensation.
4. Attorney is requesting statutory fees of \$14,350.95. Calculated.
5. Attorney is requesting extra-ordinary fees totaling \$17,223.50 in relation to answer to will contest and litigation re Jack Davis Trust where decedent was beneficiary. Itemized. Petitioner, sole beneficiary, does not object.
6. Attorney is requesting reimbursement of costs totaling \$1,230.70. Calculated.
7. Petitioner, sole beneficiary, loaned \$35,000 to his son Jonathan Hayes without court authority. However, there does not appear to be any harm to the estate.

Question whether the loan will be paid back to the estate? **Supp: Petitioner, sole beneficiary, waives repayment of the loan.**

8. Petitioner made preliminary distribution to himself of \$97,116.97 without prior court approval. However, there does not appear to be any harm to the estate as the amount is less than half of the remaining assets.
9. Petitioner and will contestant Diane Means came to a settlement on 12/18/07 where Diane was to receive \$125,000 in exchange for dismissal of the will contest. There is no allegation that Diane was paid in the report. **Supp: Copy of front of check and letter to Ms. Means' attorney provided. Does court wish to require copy of back of cancelled check? JTD**

RECOMMENDATION

Court's discretion. If approved, court to set hearing on filing receipts and final discharge for 06/20/11. Court to vacate 08/04/10 Accounting Review.

(cbr)

Future hearing dates:
8/04/10 Accounting Review

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE CYNTHIA LUDVIGSEN **CONSERVATORSHIP**

DATE: 06/14/10 TIME: 10:30 DEPT: S34P

CASE#: CON DS1000072

CASE NAME: GENE CAT ROBERTS

HEARING:
Petition for Appointment of Conservator

COUNSEL:
EUGENE ROBERTS (CP)...PRO/PER
LILIA C ROBERTS (CP)...PRO/PER
GENE CAT ROBERTS (CTP)...JACK B OSBORN

GENERAL INFORMATION

Continued from 05/10/10. Jack Osborn appointed counsel.

THIS CASE IS SET FOR HEARING ON Petition for limited conservatorship, person only.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No bond – person only.
2. Petitioner requests medical powers. Medical capacity declaration filed.
3. Petitioner requests waiver of assessment fee.
4. Return of citation filed. Need attendance of proposed conservatee or basis for nonappearance.
5. Need report of counsel Jack Osborn.
6. Suggest court review Confidential Screening Form (tabbed).
7. Proof of completion of conservatorship class filed for both proposed conservatee's.
8. CI report filed.
9. Inland Valley Regional Center report filed.

RECOMMENDATION

Need report of counsel. If approved, set hearing for filing of care plan and order appointing Conservator for **06/20/11**.

(abs/cbr)

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 10:30 DEPT: S34P

CASE#: CON DS1000114

CASE NAME: STEVEN HEITKAMP
HEARING: Petition for Appointment of Conservator

COUNSEL:
NANCY HEITKAMP (CPE)...SAL BRIGUGLIO
TIM HEITKAMP (CPE)...SAL BRIGUGLIO
STEVEN HEITKAMP (CEP)...DONNASUE SMITH-ORTIZ

GENERAL INFORMATION

Temporary orders denied on 05/11/10. Donnasue Smith-Ortiz appointed counsel.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator Person and Estate by Mother and Father.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioners are we requesting no bond as the proposed Conservatee has \$1,600 in personal property and is currently unemployed. Petitioners allege that the proposed Conservatee does not receive any benefits at this time. Petitioners are requesting estate powers in the event the proposed Conservatee gains employment. Court may wish to require minimum bond of \$20,000. JTD
2. Petitioners are requesting medical powers. Capacity Declaration filed; however, the physician inadvertently failed to initial the last page. Need completed Capacity Declaration.
3. Citation returned served.
4. Need Certificate of Completion of the Conservatorship Training Class.
5. Need report of counsel.
6. Need Court Investigator report.

RECOMMENDATION

Need to clear notes. If approved, set hearing for filing of Inventory and Appraisal care plan and proof of recordation of letters, including proof of service of Inventory and Appraisal instructions for objection to Inventory and Appraisal, order appointing Conservator and care plan in accord with Pr.C. §§ 1830, 2313, 2352 and 2610 for 01/24/11. Accounting Review for 08/22/11. Any accounting to be filed 30 days prior to hearing.

(cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 10:30 DEPT: S34P

CASE#: CON PS0900144

CASE NAME: DOROTHY MAE WELTON

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of KENNETH WELTON

COUNSEL:

KENNETH WELTON (CPE)...CURTIS R AIJALA
DOROTHY MAE WELTON (CEP)...MITHCHELL I ROTH

GENERAL INFORMATION

Continued from 05/10/10.

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Court appointed conservator of the person and estate on 11/03/09, \$121,000 bond posted on 03/11/10. Letters issued 05/04/10.
2. Care Plan filed.
3. Final Inventory & Appraisal filed. However, attached bank statement does not cover date of appointment of conservator. Need corrected bank statement and presumably a Corrected I&A if bank balance differs.
4. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
5. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.
6. Register of actions indicates Court Investigator report filed 05/13/10.

RECOMMENDATION

When documents are not filed as ordered, court may set a hearing in accord with Pr.C. §2655

(cbr/abs/cbr)

Future hearing dates: 12/13/10 Accounting Review

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 10:30 DEPT: S34P

CASE#: RC RS00238

CASE NAME: EMILA MONCADA

HEARING:

Motion Re: ORDER DISPENSING WITH ACCOUNTING Filed by Petitioner
MARTHA ESPINOZA

COUNSEL:

MARTHA ESPINOZA	(PET)...	LINDA D ROBERS-ROSS
EMILA MONCADA	(PCE)...	
PUBLIC GUARDIAN	(AGN)...	PRO/PER
BARRY ESKIN	(TP)...	PRO/PER

GENERAL INFORMATION

Continued from 05/10/10 to file supplement

THIS CASE SET FOR HEARING ON Motion re Order Dispensing with Accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Third accounting approved on 07/14/09. An order for third account was never submitted or approved. Need same.
2. Petitioner is requesting the accounting be dispensed per Pr. C. § 2628. However, there is no accounting period listed. Need same.
3. The estate appears to qualify under Pr. C. § 2628.
4. On 04/08/10 Court ordered petitioner to file a supplement re how the money was spent. Receipts for care facility etc. Need same.
5. Need notice of hearing and proof of service.
6. Last Court Investigator report filed 06/18/09.

RECOMMENDATION

Need to clear notes. If approved, Court may wish to set the next hearing re Accounting Review for **05/16/11** or a biennial Accounting Review for **05/14/12** per Pr.C. § 2620(a). Any accounting to be filed 30 days in advance.

(cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 10:30 DEPT: S34P

CASE#: RC RS00584

CASE NAME: RICHARD VANSCHAICK

HEARING:

THIRD Account and Report of GERARD VANSCHAICK, ROSA VANSCHAICK
and Petition for allowance of fees filed.

COUNSEL:

ARTHUR A CAPPILLA (CPE)...JOHN D MICKUS
RICHARD VANSCHAICK (CEP)...
GERARD VANSCHAICK (PET)...PRO/PER

GENERAL INFORMATION:

Continued from 02/18/10, 03/29/10 and 05/10/10 to clear notes.

THIS CASE IS SET FOR HEARING ON Second Account Current

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED.

1. First accounting approved 8/7/08.
2. Petitioner files a Second Accounting for 12/1/07-11/30/09.
3. Assets on hand \$125,383 (\$109,057 cash, remainder a vehicle).
4. Beginning balance is off by .24. Balance should match to ending balance of first account. Need amended account.
5. Need bank statement for Chase checking account with balance of \$1,270.
6. Schedule of assets on hand indicate \$14,758; however, the statement indicates \$15,758.11. Need amended accounting.
7. The report does not comply with Pr.C. §1060 et seq. Need proper report.
8. Disbursements indicate several entries for "personal expenses" totaling \$8,050. Need specific itemization on schedule.
9. Disbursements indicated \$5,753 to "Robbins & Holdaway" which appears to be a law firm. Question what authority petitioner had to pay legal fees without prior court authority? Need verified supplement.
10. Need notice of hearing and proof of service.
11. Court Investigator report filed 10/20/09.

RECOMMENDATION:

Need to clear notes. If approved, Court may wish to set the next hearing re Accounting Review for **03/07/11** or a biennial Accounting Review for **03/05/12** per Pr.C.§2620(a). Any accounting to be filed 30 days in advance.

(gls/cbr/abs/cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN

DATE: 06/14/10 TIME: 10:30 DEPT: S34P

CASE#: VC VS00280

CASE NAME: MATTER OF MATTHEW DAVID SELTERS

HEARING:
Accounting Review

COUNSEL:
HAROLD SELTERS (PET)...PRO/PER
CAROLAN SELTERS (PET)...PRO/PER
MATTHEW DAVID SELTERS (PCE)...JACK B OSBORN

GENERAL INFORMATION

Continued from 03/22/10. Conservators reported that Conservatee is totally non-compliant and has taken off and been in and out of jail. Conservators are no longer Conservatee's payee. Conservators want Conservatorship terminated and they be discharged.

Continued from 04/26/10. Mr. Osborn to file waiver of accounting and petition to terminate.

THIS CASE SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Previous accounting dispensed on 02/15/08 for period 04/12/03 – 01/22/08.
2. Need petition for waiver of accounting for period 01/23/08 – 01/22/10.
3. Need petition to terminate. **Petition to terminate filed; however, the petition is not verified and not a noticed hearing. Need verification, proper petition and notice of hearing and proof of service.**
4. Court Investigator report filed 02/22/10.
5. **PG filed a confidential report on 4/5/10.**

RECOMMENDATION

Need to clear notes.

(cbr/abs/cbr)

CIVPRO San Bernardino District - Probate
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JUDGE CYNTHIA LUDVIGSEN **MISC.**

DATE: 06/14/10 TIME: 1:30 DEPT: S34P

CASE#: PRO PS0900366

CASE NAME: SAM DOPPIERI & ROSEMARY DOPPIERI REV. TRUST

HEARING:

Court Trial set for PETITION TO COMPEL ACCOUNTING of TIRSA DOPPIERI

COUNSEL:

TIRSA DOPPIERI (PET)...PRO/PER
SALVADOR ANTONI DOPPIERI& ROSE(TRU)...
ROSEMARY DOPPIERI (OBJ)...LAW OFFICE OF H JOHN KHOUKAZ

Trial – No notes.

Future hearing dates:

6/15/10 Court Trial set for PETITION TO COMPEL ACCOUNTING of TIRSA DOPPIERI
6/17/10 Court Trial set for PETITION TO COMPEL ACCOUNTING of TIRSA DOPPIERI